

REMARKS

Claims 1-20 remain in this application. Claims 14-20 stand withdrawn from further consideration. Applicant respectfully requests reexamination.

The drawings were objected to because they did not include reference character 39b mentioned in the specification and Figure 11 was not bracketed as required by the rules. Under separate cover to the Chief Draftsperson, Applicant has submitted two (2) sheets of drawings showing proposed changes marked in red on Figures 8 and 11. Applicant respectfully requests permission to make those changes in order to obviate the objections to the drawings.

The specification was objected to on the ground that paragraph 24, line 1, had a typo, and paragraph 23, line 23, had a typo. Applicant submits amended paragraphs 24 and 25, which hopefully obviates the objection to the specification.

Claims 1-13 were rejected under 35 U.S.C. § 103(a) as unpatentable over *Thomas* (US 4,292,749) in view of *Hawkins* (Patent Publication 2003/0000044 A1) and *Daoud* (US 6,278,061). Applicant respectfully traverses.

Thomas discloses a generally double U-shaped holder having two clamping legs 14 and two securing legs 11 joined to a base 15 (Column 4, lines 14-17). This holder is designed to hold a coupon clip 12 having arms 19 and 20 onto the handle of a grocery supermarket shopping cart 21. The coupon clip 12 is meant to hold shopping coupons within view of the person shopping in order to promote the items shown in the coupon (Column 1, lines 59-65). The display device 12 is made out of clear plastic, preferably a clear thermal plastic, so that coupons can be viewed through the plastic while held within the two arms 19 and 20. This display device is hardly a pennant.

Hawkins is directed to a flag clamping device for automobile antennas which has a first half 12a and a second half 12b that are joined together by a hinge strap mechanism 14 which wraps around the antenna when the two halves 12a, 12b are connected (Paragraph 32). The flag clamping device of *Hawkins* is a unitary piece which is designed to fasten the flag to the antenna without use of a separate pole holder.

The *Daoud* patent is directed to a cable retaining device which has a hollow body with a plurality of projections extending radially into the hollow body which attaches to a housing H. The spaced resilient projections 20 that extend into the hollow body of the cable holder are designed to insure concentric positioning of the cable within the hollow body (Column 2, lines 50-55).

The present invention is directed to a pennant holder for attaching a pennant to a small pole, the pennant holder having “a pole holder made out of plastic material . . . causing the flaps to grasp and hold the pole, the pole holder having an integral receiving clip,” and “a pennant attachment having two meeting halves that grasp the attachment end of the pennant and hold it along the length of the attachment end, the pennant attachment adapted to fit into the receiving clip in the pole holder.”

None of the references show this kind of structure. Applicant suggests that the combination of *Thomas*, *Hawkins* and *Daoud*, as suggested in the Office Action, is the result of the hindsight gained from the knowledge of Applicant's invention. None of these three references disclose or suggest a combination of the disclosed structures. To the contrary, they teach no combination is possible.

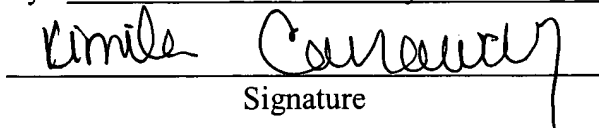
The structure of *Thomas* is antithetical to *Hawkins*. *Hawkins* is an integral one-piece attachment device. *Thomas*, on the other hand, is not even concerned with holding a pennant,

but rather is concerned with holding a rigid plastic coupon display device 12 to the handle of a shopping cart. Furthermore, *Daoud* couldn't be more remote. *Daoud* is concerned with the holding of electrical cable entering into a junction box or other housing. Certainly, neither *Thomas* or *Hawkins* suggests the use of a cable holding device as shown in *Daoud* for use in their structures. *Hawkins* describes a completely different and incompatible holding device, a strap mechanism 14. *Thomas* describes yet another completely different and incompatible holding device, a holder of generally double U-shaped configuration having two clamping member legs 14 and two securing legs 11 joined to a base 15.

Moreover, even if these references were combined as suggested in the Office Action, the combination would still not provide the claimed invention which comprises "a pole holder . . . the pole holder having an integral receiving clip," and "a pennant attachment having two mating halves . . . the pennant attachment adapted to fit into the receiving clip in the pole holder.

In light of the above amendment and remarks, Applicant believes that all the claims in the application are in condition for allowance and respectfully requests that claims 1-13 be allowed, and this application pass to issue.


I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 19, 2004.

By: Kimila Carraway

Signature

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Respectfully submitted,

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IN THE DRAWINGS:

A Letter to the Chief Draftsperson under separate cover has two (2) sheets of drawings attached showing proposed changes in red to Figures 8 and 11. Applicant respectfully requests permission to make the changes indicated in red.